

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Baumgartner *et al.* Confirmation No.: 3694
Application No.: 10/553,495 Art Unit: 3733
Filed: 07/25/2006 Examiner: Yang, Andrew
Attorney Docket No: 01227.0032
For: INTERVERTRAL IMPLANT

RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Final Office Action of the United States Patent and Trademark Office dated May 13, 2008, Applicants respectfully submit the following revisions and remarks:

Amendments to the Claims begin on page 2 of this Amendment

Remarks begin on page 10 of this Amendment

Indication of Allowability – The Examiner is thanked for indicating that claims 47-50 were allowed. The Examiner is also thanked for indicating that the subject matter of dependent claims 26, 29 and 30 was allowable. Independent claim 1 has been amended to include all of the limitations of dependent claim 29 including any intervening claims. Claim 26 has been written into independent claim form. All remaining, non depending claims have been canceled without prejudice. As such the present application is believed to be in proper condition for allowance. Withdrawal of all remaining rejections and allowance of the pending claims is respectfully requested.